

SECOND DAY
(Thursday, June 23, 1983)

The Senate met at 10:00 o'clock a.m., pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present: Blake, Brooks, Brown, Caperton, Doggett, Edwards, Farabee, Glasgow, Harris, Henderson, Howard, Jones, Kothmann, Leedom, Lyon, Mauzy, McFarland, Montford, Parker, Parmer, Santiesteban, Sarpalius, Sharp, Sims, Traeger, Truan, Uribe, Vale, Washington, Whitmire, Williams.

A quorum was announced present.

Pastor John W. Auer, St. Martin's Lutheran Church, Austin, offered the invocation as follows:

Dear Heavenly Father,

As we set ourselves in this Senate for another day of work and deliberations, guide us by Your Spirit that our thoughts would not be centered on our own interests, but that our concerns in every issue would be anchored in the well-being of all people and the good government of this State.

May this special session of the legislature reflect our willingness and our earnest endeavor to be faithful servants to those whom we represent and to You, O Lord, who has called us to be Your children. In Jesus' name. Amen.

On motion of Senator Mauzy and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

CO-AUTHORS OF SENATE BILL 14

On motion of Senator Farabee and by unanimous consent, Senators Montford and Sarpalius will be shown as Co-authors of S.B. 14.

REPORTS OF STANDING COMMITTEES

Senator Farabee submitted the following report for the Committee on State Affairs:

S.R. 3

Senator Jones submitted the following report for the Committee on Finance:

S.B. 9

Senator Brooks submitted the following report for the Committee on Health and Human Resources:

S.B. 7

S.B. 5

Senator Truan, Acting Chairman, submitted the following report for the Committee on Health and Human Resources:

C.S.S.B. 8 (Read first time)

SENATE RESOLUTION 11

Senator Howard offered the following resolution:

WHEREAS, On June 30, 1983, the Texas Department of Public Safety will lose the services of a valued employee when James Walter Morris, Jr., retires after more than 37 years with the Department; and

WHEREAS, Since joining the Department December 1, 1945, after his discharge from service in the United States Coast Guard during World War II, Jim Morris advanced from his initial position as file clerk to that of chief of administration at the time of his retirement; his departmental assignments during his tenure—interrupted for further service to his country in the U. S. Navy during the Korean Conflict—included responsible positions in the drivers license division, the bureau of identification and records, the license and weight division, fleet operations, and personnel and staff services; and

WHEREAS, Mr. Morris has devoted much of his leisure time during his career working with the Boy Scouts of America, and that organization expressed their appreciation in 1969 with the Silver Beaver Award for distinguished service to boyhood; fellow state employees selected him president of the Texas Public Employees Association for the 1962-1963 term; and he has been a Deacon of the First Baptist Church of Austin since 1959 and served as Chairman of Deacons during 1977-1978; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 68th Legislature, 1st Called Session, commend the 37 years of dedicated service of James Walter Morris, Jr., to the Texas Department of Public Safety as well as his contributions to the betterment of his community and express best wishes for many happy years of retirement; and, be it further

RESOLVED, That copies of this Resolution be prepared for Mr. Morris, his wife, Jeanne, and his sons, James W. III, John R., and Joe W., as a token of appreciation for a job well done and as a memento of the occasion of his retirement from the Texas Department of Public Safety.

The resolution was read.

On motion of Senator Harris and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Howard and by unanimous consent, the resolution was considered immediately and was adopted.

GUESTS PRESENTED

Senator Howard escorted Chief Morris and Mrs. Morris to the President's Rostrum.

The President presented an enrolled copy of S.R. 11 to Chief Morris.

Chief Morris expressed his appreciation to the Members of the Senate.

SENATE BILLS AND RESOLUTIONS ON FIRST READING

The following bills and resolutions were introduced, read first time and referred to the Committee indicated:

S.C.R. 1 by Whitmire Administration
Granting Marguerite Hamric permission to sue the State of Texas.

S.J.R. 1 by Sarpalius State Affairs
Proposing a constitutional amendment relating to the associations of producers of agricultural commodities.

S.B. 12 by McFarland State Affairs
Relating to the authority of a court to sentence the defendant to the Texas Department of Corrections with a period of probation commencing on release from the department.

S.B. 13 by Glasgow, Finance
McFarland, Parmer
Making a supplemental appropriation for the Court of Appeals, Second Supreme Judicial District, Fort Worth.

S.B. 14 by Farabee, Montford, Health and Human Resources
Sarpalius
Relating to courts having jurisdiction of proceedings in connection with court-ordered mental health services; amending Section 40, Texas Mental Health Code, as revised by **S.B. 435**, Acts of the 68th Legislature, Regular Session, 1983 (Article 5547-1 et seq., Vernon's Texas Civil Statutes).

S.B. 15 by Henderson State Affairs
Relating to local regulation of a business that sells alcoholic beverages and in which an employee engages in certain sexually oriented conduct.

S.B. 16 by Brooks, Uribe Finance
Relating to a supplemental appropriation for the South Texas Hospital.

S.B. 17 by Doggett, Truan, State Affairs
Washington, Farabee
Relating to the prohibition of discrimination in certain transactions concerning employment; providing penalties.

S.B. 18 by Farabee Finance
Amending Section 2, The Certificate of Obligation Act of 1971, as amended (Article 2368a.1, Vernon's Texas Civil Statutes), to authorize certain counties to issue certificates of obligation.

S.B. 19 by Farabee Finance
Amending Section 3 and Subsection (b), Section 6 and adding Section 12, Bond Procedures Act of 1981 (Article 717k-6, Vernon's Texas Civil Statutes); relating to the issuance or the transfer or exchange of bonds by or on behalf of political subdivisions; containing other provisions relating to the subject; and declaring an emergency.

SENATE BILL 9 ON SECOND READING

On motion of Senator Washington and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 9, Relating to appropriations for the construction of permanent improvements at Texas Southern University.

The bill was read second time and was passed to engrossment.

SENATE BILL 9 ON THIRD READING

Senator Brooks moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 9** be placed on its third reading and final passage.

(Senator Brooks in Chair)

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Washington.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

(President in Chair)

SENATE RULE 103 SUSPENDED

On motion of Senator Brooks and by unanimous consent, Senate Rule 103 was suspended in order that the Committee on Health and Human Resources might consider **S.B. 14** today at 4:00 o'clock p.m.

**ELECTION OF PRESIDENT PRO TEMPORE
FIRST CALLED SESSION**

The President announced the time had arrived for the election of the President Pro Tempore, First Called Session, 68th Legislature.

On motion of Senator Brooks, Senator Doggett was elected as President Pro Tempore, First Called Session, 68th Legislature.

RECESS

On motion of Senator Mauzy, the Senate at 10:32 o'clock a.m. took recess until 2:01 o'clock p.m. today.

AFTER RECESS

The Senate met at 2:01 o'clock p.m. and was called to order by the President.

NATURAL RESOURCES COMMITTEE MEETING

On motion of Senator Santiesteban and by unanimous consent, the Natural Resources Committee was granted permission to meet in the Senate Chamber today upon adjournment.

MEMORIAL RESOLUTIONS

S.R. 9 - By Doggett: Memorial resolution for Nancy Kitson Crowell.

S.R. 12 - By Montford: Memorial resolution for Travis L. Clements.

S.R. 13 - By Montford: Memorial resolution for The Most Reverend Bishop John E. Alexander.

WELCOME AND CONGRATULATORY RESOLUTIONS

S.R. 10 - By Howard: Commending D. H. Abernathy.

S.R. 14 - By Montford: Extending congratulations to the Lubbock Christian College baseball team.

S.R. 15 - By Montford: Commending Mr. Elmer J. Reed, Jr.

S.R. 16 - By Montford: Commending Glen and Mary Prudie Brown.

S.R. 17 - By Sharp: Extending congratulations to Denver Edward Perkins.

S.R. 18 - By Doggett: Extending congratulations to Colonel Don F. Rettberg.

ADJOURNMENT

On motion of Senator Mauzy, the Senate at 2:16 o'clock p.m. adjourned until 11:00 o'clock a.m. tomorrow.